THE HON'BLE SRI JUSTICE BILAL NAZKI
AND
THE HON'BLE SRI JUSTICE NOOTY RAMAMOHANA RAO

WRIT PETITION No.17414 of 2007

Date: 14-08-2007.

Between :

M/s.Arcadia Investment Group, Tenali, rep. by its Partner.

.....Petitioner

And

The Joint Commissioner (CT), Legal,
Nampally, Hyderabad & another.

.....Respondents.

THE HON'BLE SRI JUSTICE BILAL NAZKI
AND
THE HON'BLE SRI JUSTICE NOOTY RAMAMOHANA RAO

WRIT PETITION No.17414 of 2007

ORDER : (Per Hon'ble Sri Justice Bilal Nazki)

Heard learned Counsel for the parties. With their consent, the Writ Petition is being disposed of at this stage.

An appeal is pending before the Tribunal and a stay application is pending before the Joint Commissioner. In the meantime, the respondents have issued attachment orders. After hearing learned counsel for the parties, we feel that attachment should have not been ordered, as an appeal and also the stay application are pending.

Therefore, we set aside the order of the authority and direct that half of the disputed tax liability shall be paid by the petitioner within a period of four weeks from today. For four weeks, there shall be an unconditional stay and stay shall continue till disposal of appeal, provided the amount is deposited within the stipulated time. The deposit of amount shall be without prejudice to the rights of the petitioner in appeal. If any amount has already been paid by the petitioner, the same shall be given credit.

Writ Petition is disposed of accordingly. No costs.

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BILAL NAZKI, J

14th August 2007.

NOOTY
RAMAMOHANA RAO, J

ajr